

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

HB Productions, Inc.,)	
)	Case No.: 1:19-cv-00487-JMS-KJM
Plaintiff,)	(Copyright)
vs.)	
)	AFFIDAVIT OF COUNSEL
Muhammad Faizan,)	
)	
Defendant.)	
)	
)	

AFFIDAVIT OF COUNSEL

KERRY S. CULPEPPER, hereby declares under penalty of law that the following is true and correct:

1. I am an attorney and represent the Plaintiff, I have personal knowledge of the matters stated herein, and this affidavit is given in support of Plaintiff's Second Rule 55(b)(1) Request for Clerk to enter Default Judgment Against Defendant Muhammad Faizan.

2. Upon information and belief, Muhammad Faizan is not a minor or an incompetent person and is not currently in the military service of the United States.

3. As explained in the Declaration of Daniel Arheidt [Doc. #40-7], Maverickeye UG logged: (1) 8555 instances of infringing activity in the United States and 38567 infringing transactions worldwide involving the file name "Hellboy.2019.720p.HC.HDRip.x264-MkvCage.Com.mkv" via the Unique Hash

Number 0550544E834856FC1F012A567388F0307CD8A61A (“61A File”) and (2) 8387 instances of infringing activity in the United States and 66476 infringing transactions worldwide involving the file name “Hellboy.2019.1080p.AMZN.WEBRip.DDP5.1.x264-NTG” via the Unique Hash Number 18031E80B3360664B3641E1B7952172740AD5A63 (“A63 File”). *See* Decl. of Arheidt [Doc. #40-7] at ¶¶8-9.

4. As asserted in the First Amended Complaint, Defendant distributed torrent files for downloading the 61A and A63 files from his MkvCage websites and seeded these files 61A and A63 via notorious movie piracy sites such as ETTV and 1337x. *See* First Amended Complaint [Doc #40] at ¶¶85-86.

5. Adding the United States instances of infringement of the 61A file (8555) to the instances of infringements of the A63 file (8387) amounts to 16,942.

$$\underline{8555+8387=16,942}$$

6. The instances of infringement (16,942) was multiplied by \$15.95 (the price of a Blue Ray copy of the motion picture *See* FAC at ¶51) to amount to \$270,224.90.

$$\underline{16,942*\$15.95=\$270,224.90}$$

7. The certain sum of \$270,224.90 is less than that pleaded in the First Amended Complaint at paragraph 141 and pg. 33 and is due to Plaintiff because of Defendant’s infringements of Plaintiff’s copyright in its motion picture *Hellboy*.

8. It should be noted that the sum of \$270,902.58 pleaded in the First Amended Complaint at paragraph 141 and pg. 33 and previously requested was calculated by multiplying the number of instances of infringement in the United States (16,942) mistakenly by \$15.99 rather than \$15.95.

I declare under penalty of perjury that the foregoing is true and correct.

DATED: Kailua-Kona, Hawaii, March 27, 2020.

CULPEPPER IP, LLC

/s/ Kerry S. Culpepper
Kerry S. Culpepper